

## DECLARATION AND POWER OF ATTORNEY

Attorney's Docket No. 16313-0031

In re Application of: Oswaldo da Costa e Silva, Hans J. Bohnert, Nocha van Thielen, Ruoying Chen and Rodrigo Sarria-Millan

As below named inventors, we hereby declare that:

Our residence, post office addresses and citizenships are as stated below next to our names. We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "Cell Cycle Stress-Related Proteins and Methods of Use in Plants", the specification of which:

☐ is attached hereto.

☒ was filed on April 6, 2001 as Application No. 09/828,062.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. We do not know and do not believe that the same was ever known or used by others in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the date of this application. We further state that the invention was not in public use or on sale in the United States of America more than one year prior to the date of this application. *We understand that we have a duty of candor and good faith toward the Patent and Trademark Office*, and we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of the foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

<u>Application No.</u>	<u>Country</u>	<u>Filing Date</u>	<u>Priority Claimed Under 35 USC §119</u>
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			Yes _____ No _____
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I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

<u>60/196,001</u>	<u>April 7, 2000</u>	<u></u>	<u></u>
(Application No.)	(Filing Date)	(Application No.)	(Filing Date)

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Send correspondence to: SUTHERLAND ASBILL & BRENNAN LLP Direct telephone calls at (404) 853-8000  
999 Peachtree Street, NE  
Atlanta, GA 30309-3996  
Lisa M. Cobern, Esq.

Full name of sole or first inventor: Oswaldo da Costa e Silva	Citizenship: Brazil
Inventor's signature	Date:
Residence and Post Office Address: 203 Littleford Lane, Apex, North Carolina 27502	

☒ Additional inventors are being named on separately numbered sheets attached hereto.

Attorney Docket No.: 16313-0031  
Title: Cell Cycle Stress-Related Proteins and  
Methods of Use in Plants  
Page 2

Full name of second inventor: Hans J. Bohnert	Citizenship: Germany
Inventor's signature	Date:
Residence and Post Office Address: 5400 East Williams Blvd., Apartment 13-208, Tucson, Arizona 85710	

Full name of third inventor: Nocha van Thielen	Citizenship: Canada
Inventor's signature	Date:
Residence and Post Office Address: 206-T Hyde Park Ct., Cary, North Carolina 27513	

Full name of fourth inventor: Ruoying Chen	Citizenship: China
Inventor's signature <i>Ruoying Chen</i>	Date: 6/4/2001
Residence and Post Office Address: 105 Rustic Pine Court, Apex, North Carolina 27502	

Full name of fifth inventor: Rodrigo Sarria-Millan	Citizenship: Columbia
Inventor's signature	Date:
Residence and Post Office Address: 2324 Winter Walk Circle, Morrisville, North Carolina 27560	

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Yes \_\_\_\_\_ No \_\_\_\_\_

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999 Peachtree Street, NE  
Atlanta, GA 30309-3996

Lisa M. Cobern, Esq.

Full name of sole or first inventor	Oswaldo da Costa e Silva	Citizenship: Brazil
Inventor's signature	<i>Oswaldo da Costa e Silva</i>	Date: 6/20/01
Residence and Post Office Address:	203 Littleford Lane, Apex, North Carolina 27502	

☒ Additional inventors are being named on separately numbered sheets attached hereto.

AO 463470.1

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Yes \_\_\_\_\_ No \_\_\_\_\_

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Inventor's signature _____	Date: _____
Residence and Post Office Address: 203 Littleford Lane, Apex, North Carolina 27502	

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Title: Cell Cycle Stress-Related Proteins and  
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Full name of second inventor: Hans J. Bohnert	Citizenship: Germany
Inventor's signature	Date:
Residence and Post Office Address: 5400 East Williams Blvd., Apartment 13-208, Tucson, Arizona 85710	

Full name of third inventor: Nocha van Thielen	Citizenship: Canada
Inventor's signature	Date:
Residence and Post Office Address: 206-T Hyde Park Ct., Cary, North Carolina 27513	

Full name of fourth inventor: Rouying Chen	Citizenship: China
Inventor's signature	Date:
Residence and Post Office Address: 105 Collier Place 1-G, Cary, North Carolina 27513	

Full name of fifth inventor: Rodrigo Sarria-Millan	Citizenship: Columbia
Inventor's signature	Date:
Residence and Post Office Address: 2324 Winter Walk Circle, Morrisville, North Carolina 27560	

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Inventor's signature	Date:
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Full name of third inventor: Nochan Thielen	Citizenship: Canada
Inventor's signature <i>[Signature]</i>	Date: 5.30.2001
Residence and Post Office Address: 206-T Hyde Park Ct., Cary, North Carolina 27513	

Full name of fourth inventor: Rouying Chen	Citizenship: China
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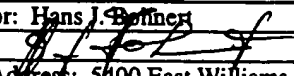
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Inventor's signature 	Date: 5/20/01
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